

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231

Inventor: **McEwan, et al.**

Serial No: **U.S. National Phase of
PCT/US99/23816**

Filed: **October 12, 1999**

For: **Virtual Prospecting Using
E-Commercials**

Examiner: **Not Yet Assigned**

Art Unit: **Not Yet Assigned**

09/890569-3122202

PRELIMINARY AMENDMENT

The Honorable Commissioner
of Patents and Trademarks
Washington, D.C. 20231

Dear Sir:

Please enter the following as a preliminary amendment.

Remarks

The IPEA/US Office considered 1-6, 8, and 12 to be obvious over Logan et al. (US Patent 5721827) in view of Wachob (US Patent 5155591), and claims 7, and 9-11 to be obvious over Logan et al. and Wachob in view of Bushnell (US Patent 4071697). The applicant respectfully disagrees for the reasons stated below.

- A prima facie case of obviousness has not been established.
- Performing a step manually is not obvious when an automated method is available.
- It is non-obvious to include a manual step in a large scale distribution system even if there is a system failure.